

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

**INTELLECTUAL PROPERTY LAW**  
**8110 GATEHOUSE ROAD**  
**SUITE 100 EAST**  
**FALLS CHURCH, VA 22042-1248**  
**USA**

(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

**CALIFORNIA OFFICES:**  
**COSTA MESA, CALIFORNIA**  
**LOS ANGELES, CALIFORNIA**

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
MARTIN R. GEISSLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, PH.D.  
PERCY L. SQUARE  
HYUNG N. SOHN  
CLINT A. GERDINE  
CRAIG A. McROBBIE  
WILLIAM F. NIXON\*  
DANIEL K. DORSEY  
MATTHEW T. SHANLEY

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
SUSAN W. GORMAN, PH.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA  
BRADLEY C. FACH

TELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPHIA. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GORDON M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARCE WEINER  
JOCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL\*  
ROBERT A. SELDON\*  
JOHN A. SCILLIERI\*  
SANFORD ASTOR\*

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "Rick" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
ROBERT M. ASHEN\*  
MICHAEL R. CAMMARATA

\*ADMITTED TO A BAR OTHER THAN VA.

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/864,367 filed on May 25, 2001,  
the entire contents of which are hereby incorporated by  
reference,  
by

Dan PETERS; Gunnar H. OLSEN; Simon Feldbaek NIELSEN; and Elsebet  
Ostergaard NIELSEN

for

8-AZABICYCLO[3.21]OCT-2-ENE AND -OCTANE DERIVATIVES

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).

2. ☒ The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$770.00		\$385.00	
NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	37-20 = 17	x 18 = \$306.00		x 9 =	\$0.00
INDEPENDENT CLAIMS	1-3 = 0	x 86 =	\$0.00	x 43 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		+ \$290.00		+ \$145.00	
TOTAL		\$1,076.00		\$0.00	

3. ☒ A check in the amount of \$1,076.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☐ Enclosed is/are \_\_\_\_\_ (\_\_\_\_) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/864,367 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to NEUROSEARCH A/S.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). PA199801570 filed in DENMARK on November 27, 1998 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on May 25, 2001.
- 9b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_

Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

or  
Customer No. 02292

12. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/864,367 in order to establish co-pendency with the present application.

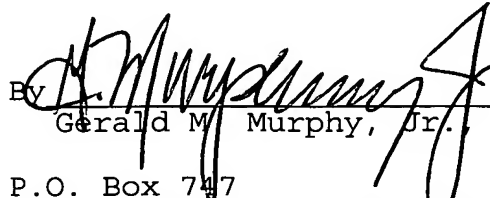
13. ☐ Also enclosed herewith is the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Gerald M. Murphy, Jr. #28,977

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

GMM/MAA/csm  
2815-0253P

Attachment(s)